

Saguache County Board of Commissioners met in regular session Tuesday, April 5, 2011 with the following present:

Sam Pace, Chairman
Mike Spearman, Co-Vice Chair
Linda Joseph, Co-Vice Chair
Wendi Maez, Co-Administrator
Lyn Zimmer, Co-Administrator
Ben Gibbons, County Attorney
Christian Samora, Acting Secretary to the Board

Meeting called to order by Chair Pace at 9:00 A.M.

Employee Appreciation Presentation

Additions or Deletions to the Agenda.

Joseph moved to approve the agenda. Spearman seconded the motion. The vote was three Ayes.

Reading and approval of minutes of March 15, 2011.

Joseph moved to approve the minutes of March 15, 2011 as amended. Spearman seconded motion. The vote was three Ayes.

Review of Mail and other correspondence:

1. **Maryanne Kurtinaitis** sent an email on Information for Cooperators on the Solar PEIS project. (3/17/11)
2. **Baca Grande POA**, sent a letter in regards to Road Signs on Panorama Way, Brookeview Way, & Moonlight Way due to the cars speeding and the dust. (3/17/11)
3. **SLV Water Conservancy District** sent the SLVWCD 2010 Annual Report. (3/17/11)
4. **Rio Grande Water Conservation District** sent the March 2011 Ground Water Table Measurements. (3/16/11)
5. **County Technical Services, CTSI** sent a thank you and a list of County employees that attended the MSHA Annual Refresher-8 hour training class. (3/15/11)
6. **Barbara Tidd** sent an email with her concerns to the Open letter from Chuck Tidd & June Savage's article in the Saguache Crescent. (3/18/11)
7. **Upper Gunnison River Water Conservancy District** sent the Board of Directors Agenda for Monday, March 28, 2011 at 6:30 pm. (3/21/11)
8. **Matt Anderson, Rio Grande Forest Service** sent a Scoping Notice for Long Park Mountain Prescribed Burn Project. (3/22/11)
9. **Janet Grossnickle, CTSI** sent a letter in regards to the complaint of Marilyn Marks against Melinda Myers, stating that CAPP provides no coverage for this Lawsuit. (3/25/11)
10. **Painted Sky, RC & DC** sent a letter in regards to the Intergovernmental Review. RC & DC are applying for a grant with USDA Natural Resources Conservation Service, to support a diversion dam fish passage, located on the Gunnison River by Delta. (3/25/11)

11. **Dharma Sangha** sent an email wanting to Thank the BOCC for awarding the funds to continue the Kundalini Fire Management Grant- Title III. (3/25/11)
12. **USDA Rural Development** sent a Broadband Workshop Agenda on April 20-21, 2011 at the Sheraton Downtown Hotel in Denver. (3/28/11)
13. **The Pundarika Foundation** sent an email thanking the BOCC for the support of the Kundalini Fire Management Project. (3/28/11)
14. **State of Colorado Human Services** sent a letter in regards to the County TANF Contract, Memorandums of Understanding, and other Expenditures related to Achieving TANF purposes in the State Fiscal Year 2009/2010. (3/28/11)
15. **State of Colorado Public Health** sent a Cancellation Notice of the Air Quality Control Commission Meeting on April 21, 2011. (3/31/11)
16. **Dale Schmidt, JLM, Inc** sent a letter to all the County Commissioners about the plan of services for Waste Tire Disposal. (4/1/11)
17. **La Puente** sent the 2011 Spring Newsletter. (4/1/11)
18. **La Vereda Del Norte Chapter** sent the Volume 1, Number 2 April 2011 Newsletter. (4/1/11)
19. **Jessica DeBoe, ScSeed** sent an email in regards to the Governor's Bottom-Up ED Plan meeting held in Alamosa on Monday, March 21, 2011 from 6-8:30pm. (4/4/11)

Introduction of Guests: Matie Bell Lakish – Crestone Eagle; Nancy Johnson; Carla Quintana; Theresa Bennis – Center Post; Steve Carlson; Lisa Cyriaks, Tina Serna, Michael Scully; Michael Garcia; Ron Briggs; Joe Vieira; Ellen Cox – Saguache County Victim Advocate Coordinator; Ivan Troyer; LeRoy Jaramillo – Jaramillo & Son Stucco; Gary Olson – Project Mgr. DSI; Reuben Yutzy – Yutzy Enterprises; Frederick Dunets & Peter May – Kundalini Fire Management; Steven Harrell & Chris Canaly – BG Water and Sanitation District; Shauna Ianson – BGPOA; Andrew Archuleta – BLM/USFS and Aaron Derwingson - Rio Grande Headwaters Land Trust.

Commissioners Reports:

Sam Pace reported:

- March-17&18 Attended CCI Steering Committee meetings in Denver
- March-17 Attended a lunch with the governor and the new head of Human Services
- April-4 Attended Town of Crestone Planning Commission Meeting to discuss wireless broadband in Crestone

Linda Joseph reported:

- April 2 - Received a call from Scott Wilfong about sign lighting, referred to Land Use time for discussion.
- April 3-4 - Read 34 grant requests for increased base funding to Regional Emergency Medical & Trauma Advisory Councils, as well as systems wide projects to improve emergency services across Colorado. These will be reviewed at the Public Policy & Finance Committee and determined at the upcoming quarterly State Emergency Medical Trauma Advisory Council, April 6 & 7.
- June-7 (SEMTAC) meeting in Denver.
- Add discussion of Saguache County's Cooperating Agency comment letter on the BLM's National Solar Programmatic Environmental Impact Study, to the work session April 12.

Mike Spearman reported:

- March-24 Attended Regional Energy Collaborative. The plan is finished and will be published soon.
- March-28 Attended Developmental Interest meeting to discuss broadband in the San Luis Valley.
- Will be involved in a conflict resolution meeting between DRG and the Regional Energy Collaborative.

Wendi Maez & Lyn Zimmer – Co-administrator report:

- Update on SLV COG meeting held Monday, March 21st.
- Update on Governor's Bottom Up Plan Meeting.
- Update on SLV GIS/GPS Request for Proposal meetings.
- Sign letter of re-appointment for Caroline Irwin to the Saguache County Tourism Council.
- Update on 2010 Audit.
- March 2011 payroll authorization needs signature from BOCC.

Joseph moved to approve the "Donation & Use of Donated Sick Leave" language change in the Saguache County Employee Manual. Spearman seconded motion. The vote was three Ayes.

- Approval of "Donation & Use of Donated Sick Leave" was presented for approval.

Pace moved to appoint Evan Samora and Pam Jones to the SCBG Committee. Joseph seconded motion. The vote was three Ayes.

- The CSBG/SLVCAA Board needs three additional members. Maez and Zimmer recommended Evan Samora, Business representative and Pam Jones, DSS representative be appointed to the Board.

Break

Wendi Maez - Land Use report:

Pace moved to adjourn regular session and convene as the Board of Health at 10:31 A. M. Joseph seconded the motion. The vote was three Ayes.

Spearman moved to direct Mr. Gibbons to draft a cease and desist order for Michael W. Boone. Joseph seconded the motion. The vote was three Ayes.

- Michael W. Boone, Baca Grande Chalet Unit II Lot 3212, septic violation, cease and desist order.

Pace moved to adjourn as the Board of Health and return to regular session at 10:55am. Joseph seconded the motion. The vote was three Ayes.

Pace moved to approve the Royce A. and Tamra J. Nickel, Subdivision Exemption request for the SW1/4 29-41N-7E. Request is to subdivide a parcel of land containing 161.16 acres into 3 tracts containing 153.3 acres, 7.86 acres and 1.84 acres (county road easement). Joseph seconded the motion. The vote was three Ayes.

- Royce A. and Tamra J. Nickel, Subdivision Exemption request for the SW1/4 29-41N-7E. Request is to subdivide a parcel of land containing 161.16 acres into 3 tracts containing 153.3 acres, 7.86 acres and 1.84 acres (county road easement). 7.86 acre tract is the location of the current residence. The Saguache County Planning Commission recommended unanimous approval of this request during their regular meeting on March 31, 2011.
- Tessera Solar North America discussion. All payments due to date have been paid. A conference call has been scheduled for Tuesday, April 12, 2011 at 1pm.
- A request from John Wickett has been received requesting a refund of his fees for a CUP as a Marijuana Caregiver, the decision was made to not have Caregivers file for any permits after Wickett had already paid all of his fees. His application request went before the CBPC and mailings to the adjoining landowners were done. Maez recommended that half of his fees be refunded in the amount of \$1106. His total fees were \$2212.65.
- A request for a variance from approved conditions has been received from Tristian Van Zalinge who has purchased the “Wallace Property” on County Road T. A CUP exists on the property for 2 additional mobile homes on the property but one of the mobile homes has a restriction that only a family member can live in the mobile home. Mr. Van Zalinge would like to have the restriction changed as he would like to rent the mobile homes and he will not be having any family members reside on the property. He agrees to follow all other restrictions he would just like to have the “family member” restriction changed. The Board agreed to the request and Maez will do a new resolution for the CUP.
- Joyful Journey sign discussion. Pace will contact Scott Wilfong to discuss the possibilities of lighting the sign for Joyful Journey, so the sign doesn’t affect neighbors and traffic.

Ben Gibbons - County Attorney Report:

Joseph moved to enter executive session at 11:20 A.M. to conference with the County Attorney for the purpose of receiving legal advice on the County’s CORA policy under Section 24-6-402 (4)(b) C.R.S. Spearman seconded motion. The vote was three Ayes.

- Continuing work on the County CORA policy and updating the personnel policy manual, with administration and department heads.

Joseph moved to return to regular session at 11:45 A.M. Spearman seconded motion. The vote was three Ayes.

Melinda Myers – County Clerk & Recorder

Pace moved to approve the Tomichi Creek Trading Post Liquor License. Joseph seconded the motion. The vote was three Ayes.

- Tomichi Creek Trading Post Liquor License renewal

Adjourned for Lunch at 12:00 P. M.

Resumed meeting at 1:00 P. M.

Randy Arredondo –

- Shauna Ianson from the Baca Grande Property Owners Association is requesting permission to install 20 MPH speed limit and/or courtesy warning signs along Panorama Way, Moonlight Way, and Brookview to help slow down traffic.
- The Board approved the installation of yellow and black courtesy signs only if the Road & Bridge Supervisor and Sheriff Norris approve the type of sign/location.

Joseph moved to convene as the Saguache County Public Health Agency Board at 1:25 P.M. Spearman seconded the motion. The vote was three Ayes.

Della Vieira – Saguache Public Health Director:

- Presentation of bids to renovate the Public Health and Social Services building in Center, Co. Bidders were available to answer questions. The Board will make a decision at a later time.

Joseph moved to enter executive session at 2:09 P.M. for matters required to be kept confidential by federal or state laws or rules regulations under Section 24-6-402 (4)(c) C.R.S. Spearman seconded motion. The vote was three Ayes.

Joseph moved to return to regular session at 2:21 P.M. Spearman seconded motion. The vote was three Ayes.

Joseph moved to adjourn the Saguache County Public Health Agency Board and return to regular meeting at 1:30 P.M. Spearman seconded the motion. The vote was three Ayes.

Andrew Archuleta - USFS/BLM monthly discussion

- Questions/discussion on Camino Chamisa parking lot and road.
- Mr. Archuleta will verify the information published in The Crestone Eagle about Camino Chamisa is true and accurate.
- RAC questions/discussion: not much money this year to go around but Saguache County has many projects that are ready to go and are in line for the money.

- Have closed a lot of user-created roads in the Kerber Creek Range area.
- The BLM will also be closing similar user-created roads in Saguache Park.

Baca Grande Water & Sanitation District

- Assessment comments by Attorney Jennifer Tanaka.
- Discussion about the assessments of approximately 130 properties within the Water & Sanitation District.
- All 130 properties are being serviced by the Water & Sanitation District, but the structures on the properties are not being assessed appropriately by the Saguache County Assessor's Office.
- The total loss of revenue is approximately \$127,000 per year.
- Tanaka has scheduled a work session with the County Assessor for May 19th, 2011.

Break

Kundalini Fire Management – Title III Funding Request Public Hearing

Joseph moved to approve the Title III Funding Request in the amount of \$65,000.00. Pace seconded the motion. The vote was three Ayes.

- Thinning brush and beetle kill.
- Replanting of saplings along Spanish Creek.
- Will be checking trees for beetles and will remove as necessary.
- Will be offering a fire management course to individuals.

Aaron Derwingson - Stewardship Director Rio Grande Headwaters Land Trust

- Works with land owners to protect wild lands, wetlands, scenic open space, etc.
- Have done three easements within Saguache County to protect approximately 2,600 acres of land.
- Events will be in April to show a film about land ethics, "Green Fire" will be shown various towns throughout Saguache County.

Joseph moved to approve the MOU between the Alamosa Police and Saguache Sheriff Departments Victim Advocacy. Pace seconded the motion. The vote was three Ayes.

Bill Paying

Joseph moved to adjourn at 4: 37 P.M. Spearman seconded the motion. The vote was three Ayes.

Respectfully Submitted,

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved April 12, 2011

Chairman of the Board

Attest

Commissioner

Commissioner